

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN**

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

LA.App..No. 199 of 2007(D)

LAR.426/2000 of PRL.SUB COURT, KOZHIKODE

APPELLANT/RESPONDENT.

THE SPECIAL TAHSILDAR (LA),
KOZHIKODE.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

RESPONDENTS/ CLAIMANT & 2nd RESPONDENT.

1. BICHU MAYIN K., KAPPAD HOUSE,
KARANTHUR.
2. INDIAN INSTITUTE OF MANAGEMENT,
KOZHIKODE.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION
ON 22/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & K.T. SANKARAN, JJ.

.....
L.A.A. No. 199 OF 2007
.....

Dated this the 22nd February, 2007.

J U D G M E N T

Kurian Joseph, J:

In view of dismissal of the petition for condonation of delay in filing the appeal, the appeal is also dismissed.

**KURIAN JOSEPH,
JUDGE.**

**K.T. SANKARAN,
JUDGE.**

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KURIAN JOSEPH & K.T. SANKARAN, JJ.

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C.M. APPLN. NO. 269 OF 2007
IN L.A.A. No. 199 OF 2007
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Dated this the 22nd February, 2007.

ORDER

This is a petition to condone the delay of 369 days. It is seen that the appeal is against the common judgment in L.A.R.Nos. 426 of 2000 and 58 of 2001 on the file of the Pri. Sub Court, Kozhikode. It is brought to our notice that no appeal is filed against the judgment in L.A.R. 58 of 2001. That apart, the award is rested on the evidence of claimants, who have been examined as A.Ws. 1 to 3. Claimants also produced Ext. A1 document, Ext. A2 valuation report and Ext. A3 photographs. A commission was also taken. Based on the report and sketch of the advocate commission, value has been fixed. There was no evidence of the respondents. Further, the extent of the land is very small, i.e., 0.0003 hectares.

In that view of the matter, it is not necessary to condone the delay in filing the appeal and to consider the appeal on merits. Accordingly, the petition for condonation of delay in filing the appeal is dismissed.

**KURIAN JOSEPH,
JUDGE.**

**K.T. SANKARAN,
JUDGE.**

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